

EXHIBIT 1

U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:12-cv-03412-AJN

Rothstein v. GMAC Mortgage, LLC et al
Assigned to: Judge Alison J. Nathan
Cause: 18:1961 Racketeering (RICO) Act

Date Filed: 04/30/2012
Jury Demand: Plaintiff
Nature of Suit: 470 Racketeer/Corrupt
Organization
Jurisdiction: Federal Question

Plaintiff

Landon Rothstein

*Individually and on behalf of all others
similarly situated*

represented by **Mark Allen Strauss**
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Plaintiff**Robert Davidson**

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John Brandon Walker
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Plaintiff**Ihor Kobryn**

*individually and on behalf of all others
similarly situated*

represented by **Mark Allen Strauss**
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Plaintiff**Jennifer Davidson**

represented by **Mark Allen Strauss**
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Edward Michael Varga
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John Brandon Walker
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ATTORNEY TO BE NOTICED

V.

Defendant

GMAC Mortgage, LLC*TERMINATED: 09/28/2012**formerly known as***GMAC Mortgage Corporation***TERMINATED: 09/28/2012***Defendant****GMAC Insurance Marketing, Inc.***TERMINATED: 07/02/2012**doing business as***GMAC Agency Marketing***TERMINATED: 07/02/2012*represented by **Jeffrey H. Daichman**

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Defendant**Balboa Insurance Company**represented by **Ross Eric Morrison**

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TERMINATED: 02/01/2013

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Defendant**John Does 1-20**

TERMINATED: 09/28/2012

Defendant**Ally Financial, Inc.**

formerly known as
GMAC, Inc.

represented by **Richard Gerard Haddad**

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ATTORNEY TO BE NOTICED

Defendant**Ally Bank**

formerly known as
GMAC Bank

represented by **Richard Gerard Haddad**

(See above for address)
ATTORNEY TO BE NOTICED

Defendant**John Doe Corporation****Defendant****Newport Management Corporation**

represented by **Ross Eric Morrison**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Matthew Phineas Previn**

(See above for address)

*TERMINATED: 02/01/2013***Defendant****MeritPlan Insurance Company**represented by **Ross Eric Morrison**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Matthew Phineas Previn**

(See above for address)

TERMINATED: 02/01/2013

Date Filed	#	Docket Text
04/30/2012	<u>1</u>	COMPLAINT against Balboa Insurance Company, GMAC Insurance Marketing, Inc., GMAC Mortgage, LLC, John Does 1-20, MeritPlan insurance Company. (Filing Fee \$ 350.00, Receipt Number 6812)Document filed by Landon Rothstein.(ama) (Entered: 05/01/2012)
04/30/2012		SUMMONS ISSUED as to Balboa Insurance Company, GMAC Insurance Marketing, Inc., GMAC Mortgage, LLC, John Does 1-20, MeritPlan insurance Company. (ama) (Entered: 05/01/2012)
04/30/2012		Magistrate Judge Andrew J. Peck is so designated. (ama) (Entered: 05/01/2012)
04/30/2012		Case Designated ECF. (ama) (Entered: 05/01/2012)
04/30/2012	<u>2</u>	STANDING ORDER IN RE PILOT PROJECT REGARDING CASE MANAGEMENT TECHNIQUES FOR COMPLEX CIVIL CASES IN THE SOUTHERN DISTRICT OF NEW YORK (See M-10-468 Order filed November 1, 2011). This case is hereby designated for inclusion in the Pilot Project Regarding Case Management Techniques for Complex Civil Cases in the Southern District of New York (the Pilot Project), unless the judge to whom this case is assigned determines otherwise. This case is designated for inclusion in the Pilot Project because it is a class action, an MDL action, or is in one of the following Nature of Suit categories: 160, 245, 315, 355, 365, 385, 410, 830, 840, 850, 893, or 950. The presiding judge in a case that does not otherwise qualify for inclusion in the Pilot Project may nevertheless designate the case for inclusion in the Pilot Project by issuing an order directing that the case be included in the Pilot Project. The description of the Pilot Project, including procedures to be followed, is attached to this Order. (Signed by Judge Loretta A. Preska on 10/31/2011) (ama)

		(Entered: 05/01/2012)
05/03/2012	<u>3</u>	NOTICE OF CHANGE OF ADDRESS by John Brandon Walker on behalf of Landon Rothstein. New Address: Kirby McInerney LLP, 825 Third Avenue, 16th Floor, New York, NY, US 10022, (212) 371-6600. (Walker, John) (Entered: 05/03/2012)
06/05/2012	<u>4</u>	SUMMONS RETURNED EXECUTED. GMAC Insurance Marketing, Inc. served on 5/23/2012, answer due 6/13/2012. Service was accepted by Bridget Spann. Document filed by Landon Rothstein. (Attachments: # <u>1</u> Affidavit)(Walker, John) (Entered: 06/05/2012)
06/05/2012	<u>5</u>	SUMMONS RETURNED EXECUTED. MeritPlan insurance Company served on 5/23/2012, answer due 6/13/2012. Service was accepted by Amber Carrouth. Document filed by Landon Rothstein. (Attachments: # <u>1</u> Affidavit)(Walker, John) (Entered: 06/05/2012)
06/05/2012	<u>6</u>	SUMMONS RETURNED EXECUTED. Balboa Insurance Company served on 5/24/2012, answer due 6/14/2012. Service was accepted by Denise Soscia. Document filed by Landon Rothstein. (Attachments: # <u>1</u> Affidavit)(Walker, John) (Entered: 06/05/2012)
06/05/2012	<u>7</u>	NOTICE OF APPEARANCE by Sarah Hawa Bawany Yousuf on behalf of GMAC Insurance Marketing, Inc. (Yousuf, Sarah) (Entered: 06/05/2012)
06/05/2012	<u>8</u>	NOTICE OF APPEARANCE by Jeffrey H. Daichman on behalf of GMAC Insurance Marketing, Inc. (Daichman, Jeffrey) (Entered: 06/05/2012)
06/05/2012	<u>9</u>	NOTICE OF APPEARANCE by Matthew Phineas Previn on behalf of Balboa Insurance Company, MeritPlan insurance Company (Previn, Matthew) (Entered: 06/05/2012)
06/05/2012	<u>10</u>	FILING ERROR - NOT ALL CORPORATE PARENTS/OTHER AFFILIATES WERE ADDED - RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent BA Insurance Group, Inc. for Balboa Insurance Company, MeritPlan insurance Company. Document filed by Balboa Insurance Company, MeritPlan insurance Company.(Previn, Matthew) Modified on 6/6/2012 (lb). (Entered: 06/05/2012)
06/05/2012	<u>11</u>	ORDER FOR INITIAL PRETRIAL CONFERENCE: Initial Conference set for 8/3/2012 at 02:15 PM at the United States District Court for the Southern District of New York, 500 Pearl Street, New York, NY before Judge Alison J. Nathan. (Signed by Judge Alison J. Nathan on 6/5/2012) (laq) Modified on 6/7/2012 (laq). (Entered: 06/06/2012)
06/05/2012	<u>12</u>	STIPULATION AND ORDER CONCERNING THE RESPONSE OF DEFENDANT GMAC INSURANCE MARKETING TO THE COMPLAINT: the time for Defendant GMAC Insurance Marketing to answer, move, or otherwise respond to the complaint in this action is hereby extended from June 13, 2012 until such time as the Court directs at the Initial Case Management Conference. ENDORSEMENT:

		EXTENSION GRANTED UNTIL 7/13/2012. IF THE PARTIES NEED A FURTHER EXTENSION, THEY MAY REQUEST IT AND THE COURT WILL CONSIDER THAT REQUEST.(GMAC Insurance Marketing, Inc. answer due 7/13/2012.) (Signed by Judge Alison J. Nathan on 6/5/2012) (laq) Modified on 6/7/2012 (laq). (Entered: 06/06/2012)
06/06/2012	<u>13</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent GMAC Insurance Management Corporation for GMAC Insurance Marketing, Inc.. Document filed by GMAC Insurance Marketing, Inc..(Yousuf, Sarah) (Entered: 06/06/2012)
06/06/2012		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Matthew Phineas Previn to RE-FILE Document <u>10</u> Rule 7.1 Corporate Disclosure Statement,. ERROR(S): Not All Corporate Parents were added. Please re-file this document and when prompted: Are there any corporate parents or other affiliates?, select the YES radio button and enter the Corporate Parent(s) or Affiliate(s). (lb) (Entered: 06/06/2012)
06/06/2012	<u>14</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent BA Insurance Group, Inc., Corporate Parent Balboa Insurance Company, Corporate Parent Bank Of America Corporation, Corporate Parent NB Holdings Corporation for MeritPlan insurance Company; Corporate Parent BA Insurance Group, Inc., Corporate Parent Bank Of America Corporation, Corporate Parent NB Holdings Corporation for Balboa Insurance Company. Document filed by Balboa Insurance Company, MeritPlan insurance Company.(Previn, Matthew) (Entered: 06/06/2012)
06/12/2012	<u>15</u>	STIPULATION AND ORDER CONCERNING THE RESPONSES OF DEFENDANTS BALBOA INSURANCE COMPANY AND MERITPLAN INSURANCE COMPANY TO THE COMPLAINT:IT IS HEREBY STIPULATED AND AGREED by and between the undersigned counsel that the time for Defendants Balboa Insurance Company and Meritplan Insurance Company to answer, move, or otherwise respond to the complaint in this action is hereby extended from June 13, 2012 until such time as the Court directs at the Initial Case Management Conference. This is the first proposed extension of Balboa Insurance Company and Meritplan Insurance Company's time to respond to the complaint. (Signed by Judge Alison J. Nathan on 6/12/2012) (js) (Entered: 06/13/2012)
06/28/2012	<u>16</u>	NOTICE OF CHANGE OF ADDRESS by Matthew Phineas Previn on behalf of Balboa Insurance Company, MeritPlan insurance Company. New Address: BuckleySandler LLP, 1133 Avenue of the Americas, Suite 3100, New York, New York, United States 10036, (212) 600-2310. (Previn, Matthew) (Entered: 06/28/2012)
06/29/2012	<u>17</u>	DOCUMENT REFERRED TO JUDGE FOR APPROVAL - NOTICE OF VOLUNTARY DISMISSAL Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, the plaintiff(s) and or their counsel(s), hereby give notice that the above-captioned action is voluntarily dismissed, WITHOUT prejudice against the defendant(s) GMAC Insurance Marketing, Inc.. Document filed by Landon Rothstein. (Walker, John)

		Modified on 7/2/2012 (dt). (Entered: 06/29/2012)
06/29/2012	18	MOTION for Katherine L. Halliday to Appear Pro Hac Vice. Document filed by Balboa Insurance Company.(pgu) (pgu). (Entered: 07/02/2012)
06/29/2012	19	MOTION for Robyn C. Quattrone to Appear Pro Hac Vice. Document filed by Balboa Insurance Company.(pgu) (pgu). (Entered: 07/02/2012)
07/02/2012		***NOTE TO ATTORNEY - DOCUMENT REFERRED TO JUDGE FOR APPROVAL. Note to Attorney John Walker Document 17 Notice of Voluntary Dismissal, was referred to Judge Alison J. Nathan for approval. (dt) (Entered: 07/02/2012)
07/02/2012	20	PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL AS TO DEFENDANT GMAC INSURANCE MARKETING, INC. d/b/a GMAC AGENCY MARKETING WITHOUT PREJUDICE PURSUANT TO F.R.C.P. 41(a)(1)(A)(i): PLEASE TAKE NOTICE that Plaintiff Landon Rothstein ("Plaintiff"), pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), hereby voluntarily dismisses all claims in this action without prejudice as to Defendant GMAC Insurance Marketing, Inc. d/b/a GMAC Agency Marketing ("GMAC Insurance"). Defendant GMAC Insurance has neither answered Plaintiff's Complaint, nor filed a motion for summary judgment. Accordingly, the claims against GMAC Insurance may be dismissed without prejudice and without an Order of the Court. (Signed by Judge Alison J. Nathan on 7/2/2012) (dj) (Entered: 07/03/2012)
07/06/2012		CASHIERS OFFICE REMARK on 19 Motion to Appear Pro Hac Vice, 18 Motion to Appear Pro Hac Vice in the amount of \$400.00, paid on 06/29/2012, Receipt Number 1042383, 1042384. (jd) (Entered: 07/06/2012)
07/06/2012	21	ORDER FOR ADMISSION PRO HAC VICE granting 19 Motion for Robyn C Quattrone to Appear Pro Hac Vice. (Signed by Judge Alison J. Nathan on 7/6/2012) (cd) (Entered: 07/09/2012)
07/06/2012	22	ORDER FOR ADMISSION PRO HAC VICE granting 18 Motion for Katherine L Halliday to Appear Pro Hac Vice. (Signed by Judge Alison J. Nathan on 7/6/2012) (cd) (Entered: 07/09/2012)
07/23/2012	23	STIPULATION AND ORDER REGARDING ADJOURNMENT OF INITIAL PRETRIAL CONFERENCE AND SETTING SCHEDULE FOR FILING OF AMENDED COMPLAINT: Plaintiff shall file an amended complaint by September 28, 2012. Defendants shall answer, move, or otherwise respond to the amended complaint within thirty (30) days after it is filed. The initial pretrial conference, currently scheduled for August 3, 2012, is hereby adjourned to November 2, 2012, at 11:00 pm. Pursuant to Section I.A. of the Pilot Project, the parties shall file an Initial Report no later than 7 days before the initial pretrial conference. Additional relief as set forth in this Order. (Amended Pleadings due by 9/28/2012., Initial Conference set for 11/2/2012 at 11:00 AM before Judge Alison J. Nathan.) (Signed by Judge Alison J. Nathan on 7/23/2012) (pl) (Entered: 07/23/2012)

09/28/2012	24	CERTIFIED TRUE COPY OF MDL ORDER FROM THE MDL PANEL DENYING TRANSFER....that the motion, pursuant to 28 U.S.C. 1407(c), for transfer of three actions listed on the attach Schedule A and pending in the Southern District of New York, to the United States District Court - Southern District of Florida, be, and the same hereby is denied. (Signed by MDL Panel on 9/28/2012) (sjo) (Entered: 09/28/2012)
09/28/2012	25	FIRST AMENDED COMPLAINT amending 1 Complaint against Balboa Insurance Company, GMAC Mortgage, LLC, MeritPlan insurance Company, Robert Davidson, Ihor Kobryn, Jennifer Davidson, Ally Financial, Inc., Ally Bank, John Doe Corporation, Newport Management Corporation with JURY DEMAND. Document filed by Landon Rothstein, Robert Davidson, Ihor Kobryn, Jennifer Davidson.Related document: 1 Complaint filed by Landon Rothstein. (rcvd on 10/10/12)(djc) (Entered: 10/10/2012)
10/17/2012		**DATE CHANGE** The Initial Pretrial Conference previously scheduled for Nov. 2, 2012 at 11:00 AM is hereby re-scheduled for Thursday, Oct. 25, 2012 at 11:00 AM in Courtroom 17B before the Honorable Judge Alison J. Nathan, U.S.D.J. In accordance with the Courts Individual Rules, the parties are hereby ORDERED to submit via e-mail (NathanNYSDChambers@nysd.uscourts.gov) a Proposed Civil Case Management Plan and Scheduling Order in PDF format by Monday, Oct. 22, 2012 no later than 5:00 PM. (snu) (Entered: 10/17/2012)
10/19/2012	26	NOTICE OF APPEARANCE by Richard Gerard Haddad on behalf of Ally Bank, Ally Financial, Inc. (Haddad, Richard) (Entered: 10/19/2012)
10/23/2012	27	STIPULATION AND ORDER REGARDING ADJOURNMENT OF INITIAL PRETRIAL CONFERENCE AND SETTING SCHEDULE FOR RESPONDING TO AMENDED COMPLAINT: Defendants shall answer, move, or otherwise respond to the amended complaint by November 29, 2012. The initial pretrial conference, currently scheduled for October 25, 2012 at 11:00 a.m., is hereby adjourned to December 14, 2012, at 1:00 pm. Pursuant to Section I.A. of the Pilot Project, the parties shall file an Initial Report no later than 7 days before the initial pretrial conference. The parties agree to waive the pre-motion conference requirement for any motions to dismiss the amended complaint, in accordance with Section III.A.4 of the Pilot Project and subject to the Court's approval. ENDORSEMENT: SO ORDERED. The initial pretrial conference initially set for October 25, 2012 shall be held on Dec. 14, 2012 at 1:00 p.m. Additionally, counsel are directed to confer with each other prior to the conference and to file an Initial Report no later than seven days prior to the initial pretrial conference that addresses the matters set forth in the Court's June 5, 2012 Order. Ally Bank answer due 11/29/2012; Ally Financial, Inc. answer due 11/29/2012; Balboa Insurance Company answer due 11/29/2012; John Doe Corporation answer due 11/29/2012; MeritPlan insurance Company answer due 11/29/2012; Newport Management Corporation answer due 11/29/2012. (Initial Conference set for 12/14/2012 at 01:00 PM before Judge Alison J. Nathan.) (Signed by Judge Alison J. Nathan on 10/23/2012) (ft) (Entered: 10/23/2012)
11/09/2012		**DATE CHANGE** The Initial Pretrial Conference previously scheduled for Friday, Dec. 14, 2012 at 1:00 PM is hereby re-scheduled for Friday, Jan. 25, 2013 at 11:45

		AM in Courtroom 17B before the Honorable Judge Alison J. Nathan, U.S.D.J. (snu) (Entered: 11/09/2012)
11/28/2012	28	STIPULATION AND ORDER EXTENDING DEFENDANTS' TIME TO RESPOND TO AMENDED COMPLAINT AND ESTABLISHING BRIEFING SCHEDULE FOR DEFENDANTS' ANTICIPATED MOTIONS TO DISMISS: IT IS STIPULATED AND AGREED, by and among counsel for the parties to this action, as follows: 1. Defendants shall answer, move or otherwise respond to the Amended Complaint on or before December 13, 2012; 2. Plaintiffs shall file any papers in opposition to Defendants' anticipated Motions to Dismiss the Amended Complaint on or before January 21, 2013; 3. Defendants shall file any reply papers in support of their anticipated Motions to Dismiss on or before February 8, 2013., Ally Bank answer due 12/13/2012; Ally Financial, Inc. answer due 12/13/2012; Balboa Insurance Company answer due 12/13/2012; John Doe Corporation answer due 12/13/2012; MeritPlan insurance Company answer due 12/13/2012; Newport Management Corporation answer due 12/13/2012.(Responses due by 1/21/2013, Replies due by 2/8/2013.) (Signed by Judge Alison J. Nathan on 11/28/2012) (lmb) (Entered: 11/28/2012)
12/13/2012	29	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent QBE Insurance Group Limited, Corporate Parent QBE Financial Instiution Risk Services, Inc., Corporate Parent QBE Holdings, Inc. for Newport Management Corporation. Document filed by Newport Management Corporation.(Previn, Matthew) (Entered: 12/13/2012)
12/13/2012	30	MOTION to Dismiss <i>the Amended Complaint</i> . Document filed by Balboa Insurance Company, MeritPlan insurance Company, Newport Management Corporation. Responses due by 1/21/2013(Previn, Matthew) (Entered: 12/13/2012)
12/13/2012	31	MEMORANDUM OF LAW in Support re: 30 MOTION to Dismiss <i>the Amended Complaint</i> .. Document filed by Balboa Insurance Company, MeritPlan insurance Company, Newport Management Corporation. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C)(Previn, Matthew) (Entered: 12/13/2012)
12/13/2012	32	DECLARATION of Kurt Petersen in Support re: 30 MOTION to Dismiss <i>the Amended Complaint</i> .. Document filed by Balboa Insurance Company, MeritPlan insurance Company, Newport Management Corporation. (Previn, Matthew) (Entered: 12/13/2012)
12/13/2012	33	DECLARATION of Denise Cahen in Support re: 30 MOTION to Dismiss <i>the Amended Complaint</i> .. Document filed by Balboa Insurance Company, MeritPlan insurance Company, Newport Management Corporation. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9)(Previn, Matthew) (Entered: 12/13/2012)
12/17/2012	34	STIPULATION AND ORDER EXTENDING TIME FOR DEFENDANTS ALLY FINANCIAL INC. AND ALLY BANK TO RESPOND TO THE AMENDED COMPLAINT UNTIL AFTER RESOLUTION OF CERTAIN PROCEEDINGS IN THE BANKRUPTCY COURT RELATING TO THE AUTOMATIC STAY. IT IS

		STIPULATED AND AGREED, by and between counsel for Plaintiffs and Ally as follows: 1. The deadline for Ally to respond to the Amended Complaint is hereby extended until twenty days after the later of (a) a final and non-appealable Order of the Bankruptcy Court on any Stay Enforcement Motion or (b) a final and non-appealable Order of the Bankruptcy Court on any Stay Extension Motion, provided such motion(s) are filed on or before December 21, 2012. 2. Ally agrees that as to Plaintiffs it will only seek injunctive and/or declaratory relief in the Bankruptcy Court and that Ally will not (i) seek to have Plaintiffs or their counsel held in contempt of court, (ii) request or otherwise seek an award of attorneys' fees, costs or sanctions of any kind against Plaintiffs, or (iii) argue that Plaintiffs or their counsel acted in bad faith, or willfully, in connection with any violation of the automatic stay by commencing or prosecuting the District Court Action. 3. It is not the intention of the parties hereto that this stipulation shall impact the proceeding against defendants other than Ally. (Signed by Judge Alison J. Nathan on 12/17/2012) (rjm) (Entered: 12/20/2012)
01/02/2013	35	ENDORSED LETTER addressed to Judge Alison J. Nathan from Mark A. Strauss dated 12/26/2012 re: We represent plaintiffs in the above-referenced matter. We respectfully write pursuant to Rule 3(F) of the Court's Individual Practices in Civil Cases to inform the Court that we intend to move for leave to file a second amended complaint ("SAC") in this matter pursuant to Rule 15(a)(2). ENDORSEMENT: Pursuant to this Court's individual rule 3(F), in response to a motion to dismiss the non-moving party may once elect to amend its complaint. Plaintiffs therefore need not move for leave to file a Second Amended Complaint ("SAC") and should file it in a timely fashion under the relevant rules. If a SAC is filed, defendants may answer, file a new motion to dismiss, or submit a letter indicating they rely on the initially filed motion to dismiss. (Signed by Judge Alison J. Nathan on 1/2/2013) (djc) (Entered: 01/03/2013)
01/17/2013	36	NOTICE OF APPEARANCE by Ross Eric Morrison on behalf of Balboa Insurance Company, MeritPlan insurance Company, Newport Management Corporation (Morrison, Ross) (Entered: 01/17/2013)
01/18/2013	37	INITIAL REPORT OF PARTIES BEFORE PRETRIAL CONFERENCE. <i>Joint Case Management Report</i> Document filed by Jennifer Davidson, Robert Davidson, Ihor Kobryn, Landon Rothstein.(Strauss, Mark) (Entered: 01/18/2013)
01/22/2013	39	SECOND AMENDED COMPLAINT amending 25 Amended Complaint, against Ally Bank, Ally Financial, Inc., Balboa Insurance Company, John Doe Corporation, MeritPlan Insurance Company, Newport Management Corporation with JURY DEMAND.Document filed by Ihor Kobryn, Robert Davidson, Landon Rothstein, Jennifer Davidson. Related document: 25 Amended Complaint, filed by Robert Davidson, Jennifer Davidson, Ihor Kobryn, Landon Rothstein.(tro) (mro). (Entered: 01/24/2013)
01/23/2013	38	NOTICE OF CHANGE OF ADDRESS by Ross Eric Morrison on behalf of Balboa Insurance Company, MeritPlan insurance Company, Newport Management Corporation. New Address: BuckleySandler LLP, 1133 Avenue of the Americas, Suite 3100, New York, New York, 10036, (212) 600-2315. (Morrison, Ross) (Entered: 01/23/2013)

01/24/2013		***NOTE TO ATTORNEY TO E-MAIL PDF. Note to Attorney Mark Allen Strauss for noncompliance with Section 14.3 of the S.D.N.Y. Electronic Case Filing Rules & Instructions. E-MAIL the PDF for Document <u>39</u> Amended Complaint, to: caseopenings@nysd.uscourts.gov. (tro) (Entered: 01/24/2013)
01/25/2013		Minute Entry for proceedings held before Judge Alison J. Nathan: Initial Pretrial Conference held on 1/25/2013. (snu) (Entered: 01/25/2013)
01/29/2013	<u>40</u>	MOTION to Withdraw <i>the Appearance of Matthew P. Previn as Counsel for Defendants Balboa Insurance Company, MeritPlan Insurance Company, and Newport Management Corporation</i> . Document filed by Balboa Insurance Company, MeritPlan Insurance Company, Newport Management Corporation. (Attachments: # <u>1</u> Text of Proposed Order)(Previn, Matthew) (Entered: 01/29/2013)
02/01/2013	<u>41</u>	ORDER GRANTING MOTION TO WITHDRAW THE APPEARANCE OF MATTHEW P. PREVIN AS COUNSEL FOR DEFENDANTS BALBOA INSURANCE COMPANY, MERITPLAN INSURANCE COMPANY, AND NEWPORT MANAGEMENT CORPORATION granting <u>40</u> Motion to Withdraw. This matter came before the Court on Defendants Balboa Insurance Company, Meritplan Insurance Company, and Newport Management Corporation's Motion to Withdraw the Appearance of Matthew P. Previn as their Counsel filed on January 29, 2012. It is hereby ORDERED that the Motion to Withdraw the Appearance of Matthew P. Previn as Counsel is granted. (Signed by Judge Alison J. Nathan on 2/1/2013) Copies Furnished to All Counsel of Record. (mro) (Entered: 02/04/2013)
02/04/2013	<u>42</u>	ENDORSED LETTER addressed to Judge Alison J. Nathan from Ross E. Morrison dated 02/01/2013 re: We represent defendants Balboa Insurance Company, Meritplan Insurance Company, and Newport Management Corporation (together, the "Balboa Defendants"), in the above-referenced action. We write to request an extension of time, from February 8, 2013, until March 4, 2013, for the Balboa Defendants to file their motion to dismiss the Second Amended Complaint in this action. ENDORSEMENT: Defendants' request for an extension of the deadline for filing a motion to dismiss is granted in part. Defendants' motion to dismiss will now be due by 02/22/2013, Plaintiffs' opposition will be due by 03/22/2013, and Defendants' reply, if any, will be due by 04/04/2013., (Motions due by 2/22/2013., Responses due by 3/22/2013, Replies due by 4/4/2013.) (Signed by Judge Alison J. Nathan on 02/04/2013) (jcs) (Entered: 02/04/2013)
02/25/2013	<u>43</u>	MOTION to Dismiss <i>the Second Amended Complaint</i> . Document filed by Balboa Insurance Company, MeritPlan Insurance Company, Newport Management Corporation. Responses due by 3/22/2013 Return Date set for 4/4/2013 at 11:59 PM. (Morrison, Ross) (Entered: 02/25/2013)
02/25/2013	<u>44</u>	MEMORANDUM OF LAW in Support re: <u>43</u> MOTION to Dismiss <i>the Second Amended Complaint</i> .. Document filed by Balboa Insurance Company, MeritPlan Insurance Company, Newport Management Corporation. (Morrison, Ross) (Entered: 02/25/2013)

02/25/2013	45	DECLARATION of Kurt Petersen in Support re: 43 MOTION to Dismiss <i>the Second Amended Complaint</i> .. Document filed by Balboa Insurance Company, MeritPlan Insurance Company, Newport Management Corporation. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C)(Morrison, Ross) (Entered: 02/25/2013)
02/25/2013	46	DECLARATION of Denise Cahen in Support re: 43 MOTION to Dismiss <i>the Second Amended Complaint</i> .. Document filed by Balboa Insurance Company, MeritPlan Insurance Company, Newport Management Corporation. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9)(Morrison, Ross) (Entered: 02/25/2013)
03/15/2013	47	STIPULATED PROTECTIVE ORDER...regarding procedures to be followed that shall govern the handling of confidential material... (Signed by Judge Alison J. Nathan on 3/15/2013) (cd) (Entered: 03/18/2013)
03/18/2013	48	ENDORSED LETTER addressed to Judge Alison J. Nathan from Mark A. Strauss dated 3/18/2013 re: Request to enlarge by 10 pages the Court's 25 page limit for memoranda of law. ENDORSEMENT: So Ordered. (Signed by Judge Alison J. Nathan on 3/18/2013) (cd) (Entered: 03/19/2013)
03/19/2013		**Please be advised that Judge Nathans Courtroom and Chambers have been moved to the Thurgood Marshall United States Courthouse located at 40 Foley Square, New York, New York 10007. Effective immediately, all proceedings before the Court will take place in Courtroom 906, and the Courts Chambers located in Room 2102, of 40 Foley Square. The Courts other contact information, as set forth in the Courts Individual Rules and Practices, available at http://www.nysd.uscourts.gov/judge/Nathan, remains the same.** (snu) (Entered: 03/19/2013)
03/21/2013	49	ORDER: In light of Defendants' Motion to Dismiss the Second Amended Complaint, (Dkt. No. 43), it is ORDERED that Defendants' previously filed motion to dismiss the amended complaint, (Dkt. No. 30), is hereby administratively denied. (Signed by Judge Alison J. Nathan on 3/21/2013) (cd) (Entered: 03/21/2013)
03/25/2013	50	MEMORANDUM OF LAW in Opposition re: 43 MOTION to Dismiss <i>the Second Amended Complaint</i> .. Document filed by Jennifer Davidson, Robert Davidson, Ihor Kobryn, Landon Rothstein. (Strauss, Mark) (Entered: 03/25/2013)
03/25/2013	51	DECLARATION of Mark A. Strauss in Opposition re: 43 MOTION to Dismiss <i>the Second Amended Complaint</i> .. Document filed by Jennifer Davidson, Robert Davidson, Ihor Kobryn, Landon Rothstein. (Attachments: # 1 Exhibit NYSDFS Transcript Excerpts, # 2 Exhibit Assurant Press Release, # 3 Exhibit Consent Order, # 4 Exhibit Squillante Testimony to NYSDFS, # 5 Exhibit Greenpoint Mortgage Form 10-K, # 6 Exhibit GMAC Mortgage Pooling and Servicing Agreement, # 7 Exhibit Balboa Press Release)(Strauss, Mark) (Entered: 03/25/2013)
03/29/2013	52	ENDORSED LETTER addressed to Judge Alison J. Nathan from Ross E. Morrison dated 3/29/2013 re: I write to request i) a five-page enlargement of the Court's ten-page limit applicable to the Balboa Defendants' reply memorandum of law in support of their

motion to dismiss; and ii) a four-day extension of time, from April 4, 2013, until April 8, 2013, for the Balboa Defendants to file their reply memorandum. ENDORSEMENT: So Ordered. Set Deadlines/Hearing as to [43](#) MOTION to Dismiss *the Second Amended Complaint*. (Replies due by 4/8/2013.) (Signed by Judge Alison J. Nathan on 3/29/2013) (cd) (Entered: 04/01/2013)

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